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EXAMINER

VO, TED T

ART UNIT PAPER NUMBER

2192

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/021,016

Applicant(s)

DROBYCHEV ET AL.

Examiner

Ted T. Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16, 18-26 and 29-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 18-26 and 29-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the amendment filed on 03/16/05, responsive to the Office action dated on 01/04/05.

- Claims 17, 27, and 28 are canceled.
- Claims 1, 10, 21, and 30-31 amended.
- Claims 1-16, 18-26, and 29-32 are pending in this application.

Response to Arguments

2. Applicants' arguments in the Remarks section filed on 03/16/2005 have been fully considered but not persuasive.

- With regards to the Oath/Declaration, especially, Applicants request pointing out the deficiencies or suggest appropriate alternative language for the declaration.

Examiner respectfully responds that it requires the person making the oath or declaration acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in 37 CFR 1.56.

The submitted Declaration acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in 37 CFR 1.56 (a) that is only a part of the title defined in 37 CFR 1.56. This is the deficiency.

- With regards to the amendment of Claims 1, 10, and 21, the amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**.

Especially, Applicants point out the paragraph 62 in the specification, point out the statement "application data objects are kept stateless" in the paragraph in page 45 of the reference, and argue that Kapczynski does not teach the type of persistence claimed in Claims 1, 10, and 21 (Remarks: page 8).

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Examiner respectfully responds:

According to Microsoft Computer dictionary: Persistent data is the data that stored in a database or on tape so that it is retained by the computer between session.

Particularly, regarding the limitations of Claim 1 *"functional support for maintaining permanent and session application data persistent within a single user session"* (and in such manner in Claims 10 and 21), Examiner cited Figure 1, a Logical Web Structure that maintains a session within NT server/user.

The Figure shows the functional supports to handle a user session including "Internet Explorer", "Netscape Navigator", "WebTV", the objects in the NT server such as COM objects. The terms such as "Internet Explorer", "Netscape Navigator", "WebTV", present a computer that includes persistent storage. The COM object are known as including Object persistence. The Figure also includes "Dadabases" that provides supporting to the session. Yes, the reference mentions, "keep objects state less" or "state-full" as in Page 8 or page 45. However, such pointing out is clueless to conclude the functions supporting to "Internet Explorer", "Netscape Navigator", "WebTV", the objects in the NT server are not persistent.

Thus, Applicants' arguments are not persuasive. Claims 1-16, 18-26, and 29 stand finally rejected under 35 U.S.C. 102(b) as being anticipated by Kapczynski et al., "Merisel Technical Deployment".

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-16, 18-26, and 29-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Kapczynski et al., "Merisel Technical Deployment", Microsoft White Paper, August 1999.

Given the broadest interpretation of Claims in light of the specification:

As per claim 1: Kapczynski discloses,

A commerce applications platform for providing features and services for commerce software applications, and operatively adaptable to a server platform capable of server-side presentation logic, the commerce applications platform comprising:

an interface providing access to data elements, including a data and object repository (See Figure 8 in page 33: 'an interface providing access to data elements...'; see page 45; Application Data Objects: 'data elements');

functional support for application logic based upon inheritance from the commerce applications platform; (See page 17, Tools used and Technologies Used);

functional support for presentation logic (See page 17, Tools used and Technologies Used);

functional support for maintaining permanent and session application data persistent within a single user session (See Figure 1, For example, "Internet Explorer", "Netscape Navigator", "WebTV", the objects in the NT server such as COM objects. Kapczynski also discloses this limitation, including limitation 'a single user session': See page 19, in the paragraph started with "The log files"); and

an interface for access to a business object during the user session (See Figure 12 in page 36, providing user to further request; see Figure 14 in page 38, has means of accessing to 'Commerce Server Storage Object' - that stores business objects during the user queuing).

As per claim 2: Kapczynski discloses,

The commerce applications platform of claim 1, wherein the data elements are stored within a computer-readable medium in the form of a data structure forming a list of at least one data element, wherein each data element comprises: a first field containing data representing a data element name; a second field containing data representing the data element type; and a third field containing data representing the data

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element value (See page 45: referring Business object: Conventionally an object has a name, data type.

And the business object is included with attribute values. Tables 10, shows Name, type (File) and attributes (Function)).

As per claim 3: Kapczynski discloses, *The commerce applications platform of claim 1, further comprising a rule engine for evaluating rule parameters* (See Page 28, Figure 6, authenticate.asp, or item 13, online validation).

As per claim 4: Kapczynski discloses, *The commerce applications platform of claim 1, further comprising a data management interface for the storage and retrieval of data during a user session* (See Page 18, Log Files, or page 51, Table 12, ASP Files Cached).

As per claim 5: Kapczynski discloses, *The commerce applications platform of claim 1, further comprising user authentication logic that provides or denies a user access to the commerce software applications* (See Page 28, Figure 6, authenticate.asp).

As per claim 6: Kapczynski discloses, *The commerce applications platform of claim 1, further comprising a data store interface used to transfer data to and from a data store* (For example, see Figure 14 in page 38, Commerce Serve Storage Object block).

As per claim 7: Kapczynski discloses, *The commerce applications platform of claim 6, wherein the data store further comprises LDAP data stores* (For example, see Table 15 in page 52, "SQL Server Database ... LDAP service").

As per claim 8: Kapczynski discloses, *The commerce applications platform of claim 6, wherein the data store further comprises database data stores* (For example, see Figure 14 in page 38, Orders Database).

As per claim 9: Kapczynski discloses, *The commerce applications platform of claim 1, wherein the business object is cached during the user session* (See page Figure 14 in page 39, Commerce Server Object are cached in Orders Database).

As per claim 10: Kapczynski discloses,

A method for implementing a first software application (See Figure 1: ASP & Html Pages)
resident on a commerce application platform, comprising:

providing presentation information by the first software application seeking input data from a user
(See Figure 8 in page 33, it shows filled blanks provided by a user, when data is filled in, a button 'Search' will providing seeking data);

receiving input data from the user for use by the first software application (See Figure 8 in page 33, input entered by user via the entries after user clicking the search button would be received by software application in a server) ;

passing the input data to the commerce application platform for validation (See Figure 6 in page 28);

validating the data by the commerce application platform (See Figures 10-11 in page 35);
providing, by the commerce application platform, business object functionality to the application
(See page 36, second and third bullets);

preparing presentation information by the application based upon the business object functionality
(See page 36, fourth bullets; and further see Figure 14, where a commerce server storage object is *preparing presentation information* under basket.asp); and

accessing permanent and session application data persistent within a single user session (See Figure 1, For example, "Internet Explorer", "Netscape Navigator", "WebTV", the objects in the NT server such as COM objects. Kapczynski also discloses this limitation, including limitation 'a single user session': See page 19, in the paragraph started with "The log files").

As per claim 11: Kapczynski discloses,

The method of claim 10, wherein the step of providing presentation information further comprises providing static and dynamic presentation data (See Figure 8: the blanks, 'static', other buttons/hyperlinks 'dynamic').

As per claim 12: Kapczynski discloses,

The method claim 10, wherein the passing of input data further comprises passing user identification information (See Figure 3 in page 25).

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As per claim 13: Kapczynski discloses, *The method of claim 10, wherein the passing of input data further comprises passing data corresponding to commerce functionality* (See Figure 8 in page 33, Product search for limitation: *commerce functionality*).

As per claim 14: Kapczynski discloses, *The method of claim 10, wherein the step of validating the data further comprises invoking a rule engine to determine a validation result* (See Figure 6 in page 28).

As per claim 15: Kapczynski discloses, *The method of claim 10, further comprising the step of creating, by the commerce application platform, a business object for providing business functionality* (See Figure 16, and Application Data Objects in page 45).

As per claim 16: Kapczynski discloses, *The method of claim 10, further comprising the step of accessing, by the commerce application platform, an existing business object* (See Figure 16).

As per claim 18: Kapczynski discloses, *The method of claim 10, further comprising the step of implementing a second software application on the commerce application platform* (See Figure 14 in page 38, For example, GetData(), etc).

As per claim 19: Kapczynski discloses, *The method of claim 18, further comprising the step of implementing a second software application by concurrently implementing the first software application and the second software application* (See Figure 14 in page 38, For example, the flow of IIS/ASP and Commerce Server Storage Object: 'concurrently implementing').

As per claim 20: Kapczynski discloses, *The method of claim 18, further comprising the step of accessing a business object by both the first and the second software applications* (See page 45, second bullet, 'business logic into COM objects ... callable from ASP, Visual Basic,...').

As per claim 21: Kapczynski discloses, *A method for providing services to a first software application residing on a commerce application platform, comprising: receiving from the application input data for validation; validating the input data; providing business object functionality to the application; and accessing permanent and session application data persistent within a single user session* (See rationale in Claim 10 above).

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As per claim 22: Kapczynski discloses, *The method of claim 21, wherein the input data received from the application relates to a commerce application function* (See page 35, Figure 11, and page 36, second and third bullets).

As per claim 23: Kapczynski discloses, *The method of claim 21, wherein the input data received from the application includes user identification information* (See pages 26, 28, Figure 4, Figure 6).

As per claim 24: Kapczynski discloses, *The method of claim 21, wherein the step of validating the input data further comprises invoking a rule engine to determine a validation result* (See pages 26, 28, Figure 4, Figure 6).

As per claim 25: Kapczynski discloses, *The method of claim 21, further comprising the step of creating a new business object* (See page 36, Figure 12 and the fourth bullet).

As per claim 26: Kapczynski discloses, *The method of claim 21, further comprising the step of accessing an existing business object* (See Figure 16, page 45, and see page 36, Figure 12, accessing means is via button/hyperlinks, and further see Figure 14, and further see page 45, the three bullets).

As per claim 29: Kapczynski discloses, *The method of claim 21, further comprising the step of creating a persistent object based on a persistent object framework* (using the browser/windows such as in pages 8, 16, 36).

As per claim 30: Kapczynski discloses, *The method of claim 21, further comprising the step of receiving input data from a second application on the commerce application platform* (See Figure 14 in page 38, For example, GetData(), etc., "a second application").

As per claim 31: Kapczynski discloses, *The method of claim 21, wherein the step of receiving input data from the first software application further comprises concurrently receiving input data from a second software application* (See Figure 14 in page 38, For example, the flow of IIS/ASP and Commerce Server Storage Object: 'concurrently implementing').

As per claim 32: Kapczynski discloses, *The method of claim 21, wherein the step of providing business object functionality to the application further comprises providing the same business object functionality to*

a second software application (See Figure 14 in page 38, For example, the flow of IIS/ASP and Commerce Server Storage Object: 'concurrently implementing').

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted T. Vo whose telephone number is (571) 272-3706. The examiner can normally be reached on 8:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3694. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Ted Vo', with a stylized flourish at the end.

Ted T. Vo
Primary Examiner
Art Unit 2192
May 26, 2005